

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICKY PARKER,

Defendant.

**8:22–CR–98**

**ORDER**

This matter is before the Court on Defendant Ricky Parker’s “Consent Motion for a Reduced Sentence Pursuant to [18 U.S.C. § 3582\(c\)\(2\)](#).” [Filing 52](#).<sup>1</sup> On August 24, 2023, this Court sentenced the Defendant to be imprisoned for a term of 12 months and one day. The Defendant and the Government have entered into a stipulation agreeing “that the [Defendant’s] new, reduced sentenced under the amended guidelines should be 8 months[.]” [Filing 53 at 1](#). The United States Probation Office has also submitted a worksheet stating that the Defendant is eligible for a sentence reduction of up to 4 months. [Filing 55 at 1](#). Although the Court recognizes that the Defendant may be eligible for a sentence reduction, the Court is not presently convinced that the agreed upon term of 8 months is appropriate in this particular case after considering the applicable factors set forth in [18 U.S.C. § 3553\(a\)](#). *See* [18 U.S.C. § 3582\(c\)\(2\)](#) (providing that a court may modify a defendant’s term of imprisonment “in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission . . . after considering the factors set forth in section 3553(a) to the extent they are applicable”).

---

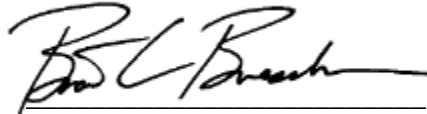
<sup>1</sup> Parker filed a *pro se* Motion to Reduce Sentence a few days before his counsel filed the Consent Motion. *See* [Filing 51](#).

To the extent either party requests a hearing on this matter, they shall request one within thirty (30) days of the date of this Order. If neither party requests a hearing by this deadline, the Court will rule on the Defendant's Motion without a hearing. If a hearing is requested within 30 days of the date of this Order, the Court will hold this matter in abeyance until the hearing takes place.<sup>2</sup> Accordingly,

IT IS ORDERED: Defendant's Consent Motion for a Reduced Sentence, [Filing 52](#), is held in abeyance pending further action of the parties.

Dated this 26th day of March, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'B. C. Buescher', written over a horizontal line.

Brian C. Buescher  
United States District Judge

---

<sup>2</sup> The Court notes that it previously communicated with counsel for both sides via e-mail on January 16, 2024, and informed them that it did not intend to accept the proposed stipulation in this case and asked that the parties advise the Court whether they wished to continue to pursue these reductions so that they could be scheduled for hearings. To date, neither party has requested a hearing in this case.